

**RALEIGH BOARD OF ADJUSTMENT
DECISIONS
June 8, 2015**

A-29-15, WHEREAS, Ralph & Kimberly McDonald, property owners, request a 9' rear yard setback variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance to allow for the vertical expansion of an existing detached garage as well as the construction of a two story enclosed connector that will connect the garage to the existing dwelling resulting in a 21' rear yard setback on a .26 acre property zoned Residential-4 located at 2515 Anderson Drive.

Decision: Approved as requested.

A-34-15, WHEREAS, Governor's Square Condominium Homeowners Association, Inc., property owner, requests a variance from the prohibition on ground signs and freestanding signs set forth in the Oakwood Mordecai Business District Streetscape Plan to allow for the construction of two freestanding Tract ID signs and a variance from Section 10-2083.2 of the Part 10 Zoning Code to allow for the inclusion of the development's logo on an information sign on a 1.34 acre property zoned Neighborhood Business and Pedestrian Business Overlay District located at 710 and 720 North Person Street.

Decision: 1. Approved the request to install 2 freestanding tract ID signs.
 2. Motion to approve the inclusion of the development's logo on information signs failed to receive the required 4 affirmative votes; therefore, the request is denied.

A-35-15, WHEREAS, David Jones, property owner, requests a special use permit to allow a community garden pursuant to section 6.6.1 of the Part 10A Unified Development Ordinance on a 1.33 acre property zoned Residential-4 and located at 2813 Hogan Lane.

Decision: Approved the Special Use Permit with the following conditions:

1. Review of the Special Use Permit within 1 year following the onset of operations as determined by City Staff;
2. Structures, trees, parking, fencing, plot, etc., to be placed on the property per the Applicant's proposed site plan;
3. Visitors park in the designated parking areas;
4. Hours of operation: daylight hours with a 10:00 p.m. cut off, 7 days per week;
5. No exterior lights;
6. Compost area is relocated to the north side of the greenhouse; and
7. Applicant employs composting methods to maintain rodent control.

A-36-15, WHEREAS, Charles & Carrie Barzola, property owners, request a 4.5' side yard setback variance from the regulations set forth in Section 2.2.1 of the Unified Development

Ordinance to allow for the construction of a detached house resulting in a 5.5' side yard setback on a .43 acre property zoned Residential-4 located at 2509 Lewiswood Lane.

Decision: Approved a 3 foot side yard setback variance.

A-37-15, WHEREAS, Unitarian Universalist Fellowship of Raleigh, property owner, requests a special use permit to allow a Day Care Center pursuant to Section 6.4.1.C of the Unified Development Ordinance on a property zoned Residential-4 and located at 3313 Wade Avenue.

Decision: Approved the Special Use Permit with the following conditions:

1. Review of the Special Use Permit within 1 year following the onset of operation;
2. Hours of operation 6:30 a.m. to 6:30 p.m. Monday through Friday;
3. Maximum enrolment of 70 children;
4. Drop off and pick up area to be located on the Wade Avenue side of the property;
5. Applicant installs 8 foot privacy fencing along the south property line beginning on the west side and continuing eastward to within 10 feet of the driveway on the uppermost grade to allow sufficient room to allow landscaping on the church side of the fence; and
6. Proposed masonry wall be increased to the height of 8 feet.

A-38-15, WHEREAS, Spencer & Kim Meymandi, property owners, request a 12' primary street setback variance and a 1' side yard setback variance, and a 2.9' aggregate side yard setback variance from the regulations set forth in Section 2.2.1 and Section 5.4.3.F.2 of the Unified Development Ordinance to legalize the existing structure and allow for the construction of an addition to the rear and side of a Detached House in excess of 25% of the total gross floor area of the existing structure resulting in a 32.4' primary street setback, a 4.9' northern side yard, and a 17.1' aggregate side yard setback for the detached house on a .19 acre property zoned Residential-6 and Neighborhood Conservation Overlay District and located at 115 W. Park Drive.

Decision: Approved as requested.

A-42-15, WHEREAS, the City of Raleigh Housing and Neighborhoods Department, property owners, request a 776' square feet reduction in the minimum lot size requirements set forth in Section 10-3032 of the Part 10 Zoning Code to allow for a reconfigured recombination of properties resulting in a 4,224 square foot lot size and a 15' front yard setback variance from the standards set forth in Section 10-2075 of the Part 10 Zoning Code to allow for the construction of a detached house on property zoned Residential-20 located at 585 E. Cabarrus Street.

Decision: Approved as requested.

A-43-15, WHEREAS, the City of Raleigh Housing and Neighborhoods Department, property owners, request a 776' square feet reduction in the minimum lot size requirements set forth in

Section 10-3032 of the Part 10 Zoning Code to allow for a reconfigured recombination of properties resulting in a 4,224 square foot lot size and a 15' front yard setback variance from the standards set forth in Section 10-2075 of the Part 10 Zoning Code to allow for the construction of a detached house on property zoned Residential-20 located at 581 E. Cabarrus Street.

Decision: Approved as requested.


A-45-15, WHEREAS, Garcia One LLC, property owner, requests a variance to reduce the number of required parking spaces set forth in Section 10-2081 of the Part 10 Zoning Code by 22 spaces to allow for a 9,000 square foot expansion of a motorcycle dealership street resulting in a 21,500 square foot motorcycle dealership with 32 spaces on a 1.20 acre property zoned Thoroughfare District and Shopping Center- Conditional Use located at 8821 Wadford Drive.

Decision: Approved with the following conditions:

1. No storage containers located in required parking spaces after construction is completed; and
2. No display of vehicles in required parking spaces.

A-46-15, WHEREAS, Patrick and Allison Smith, property owners, request a 2' side yard setback variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance to allow for the construction of a two story detached garage/storage building resulting in a 3' side yard setback on a .18 acre property zoned Residential-10 and Neighborhood Conservation Overlay District located at 1805 Wills Avenue.

Decision: Deferred to the Board's July 13, 2015 meeting.



Charles C. Coble
Chairman

6-10-15

Date